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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/664,175	09/17/2003	Srinivas Balijepalli	99-40028-01	3954
Daniel H. Golu	7590 06/18/2007 Daniel H. Golub		EXAMINER	
1701 Market Street			ALAM, SHAHID AL	
Philadelphia, PA 19103			ART UNIT	PAPER NUMBER
			2162	
			MAIL DATE	DELIVERY MODE
			06/18/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)				
	10/664,175	BALIJEPALLI ET AL.				
Office Action Summary	Examiner	Art Unit				
	Shahid Al Alam	2162				
The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply						
A SHORTENED STATUTORY PERIOD FOR RE WHICHEVER IS LONGER, FROM THE MAILING  - Extensions of time may be available under the provisions of 37 CFF after SIX (6) MONTHS from the mailing date of this communication.  - If NO period for reply is specified above, the maximum statutory per  - Failure to reply within the set or extended period for reply will, by state Any reply received by the Office later than three months after the meanned patent term adjustment. See 37 CFR 1.704(b).	B DATE OF THIS COMMUNICA R 1.136(a). In no event, however, may a reprired will apply and will expire SIX (6) MONTI atute, cause the application to become ABA	ATION.  lly be timely filed  HS from the mailing date of this communication.  NDONED (35 U.S.C. § 133).				
Status	•					
1) Responsive to communication(s) filed on 20	<u> 6 March 2007</u> .					
2a) ☐ This action is <b>FINAL</b> . 2b) ☐ T	This action is <b>FINAL</b> . 2b) This action is non-final.					
• • •	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.						
Disposition of Claims						
4) ⊠ Claim(s) 1-24 and 31 is/are pending in the a 4a) Of the above claim(s) is/are witho 5) □ Claim(s) is/are allowed. 6) ⊠ Claim(s) 1-24 and 31 is/are rejected. 7) □ Claim(s) is/are objected to. 8) □ Claim(s) are subject to restriction an	drawn from consideration.					
Application Papers						
9) The specification is objected to by the Exam  10) The drawing(s) filed on is/are: a) a  Applicant may not request that any objection to Replacement drawing sheet(s) including the cor  11) The oath or declaration is objected to by the	accepted or b) objected to be the drawing(s) be held in abeyand rection is required if the drawing(s	e. See 37 CFR 1.85(a). ) is objected to. See 37 CFR 1.121(d).				
Priority under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some * c) None of:  1. Certified copies of the priority documents have been received.  2. Certified copies of the priority documents have been received in Application No.  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  * See the attached detailed Office action for a list of the certified copies not received.						
Attachment(s)						
1) Notice of References Cited (PTO-892)	4) Interview Su					
<ul> <li>2) Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3) Information Disclosure Statement(s) (PTO/SB/08)</li> <li>Paper No(s)/Mail Date</li> </ul>		/Mail Date ormal Patent Application 				

## **DETAILED ACTION**

1. Claims 1 – 24 and 31 are pending in this Office action.

2. Claims 1 - 23 and claims 24 and 31 are not same claimed limitation. Hence, there is a restriction and the restriction as follow:

## Election/Restrictions

- 3. Restriction to one of the following inventions is required under 35 U.S.C. 121:
- I. Claims 1 23, drawn to automated processing of a search list provided by a remote user, and retrieving and delivering information corresponding to at least one item contained in said search list, classified in class 707, subclass 3.
- II. Claims 24 and 31, drawn to ascertaining whether said information is current by comparing said hash to hashes stored in a storage database, classified in class 707, subclass 10.

The inventions are distinct, each from the other because of the following reasons:

Inventions as listed in Group I and Group II are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct if they do not overlap in scope and are not obvious variants, and if it is shown that at least one subcombination is separately usable. In the instant case, subcombination has separate utility such as follow.

Group I teaches automated processing of a search list provided by a remote user, and retrieving and delivering information corresponding to at least one item contained in said search list while Group II teaches ascertaining whether said information is current.

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The examiner has required restriction between subcombinations usable together. Where applicant elects a subcombination and claims thereto are subsequently found allowable, any claim(s) depending from or otherwise requiring all the limitations of the allowable subcombination will be examined for patentability in accordance with 37 CFR 1.104. See MPEP § 821.04(a). Applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

See MPEP § 806.05(d).

- 4. Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions have acquired a separate status in the art in view of their different classification, restriction for examination purposes as indicated is proper.
- 5. Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions require a different field of search (see MPEP § 808.02), restriction for examination purposes as indicated is proper.
- 6. Because these inventions are independent or distinct for the reasons given above and there would be a serious burden on the examiner if restriction is not required because the inventions have acquired a separate status in the art due to their

recognized divergent subject matter, restriction for examination purposes as indicated is proper.

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Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35.U.S.C.103(a) of the other invention.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

Art Unit: 2162

## **Contact Information**

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shahid Al Alam whose telephone number is (571) 272-4030. The examiner can normally be reached on Monday-Thursday 8:00 A.M.- 4:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on (571) 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Shahid Al Alam Primary Examiner Art Unit 2162

June 10, 2007